Of 100

(1)

Single Bench

(3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 4025 **/2004**

PETITIONER : ~~Shrik~~ Chandrakant Mishra, aged about 42 years, S/o. Shri Angadram Mishra, R/o. Opposite house of Shri O.P.Gupta, Behind Post Office, Tikrapara, Bilaspur (C.G.)

P.R. No. 4029/04
Presented by Shri A.K. Tilgan
dated 20/10/04

Versus

RESPONDENTS

1) State of Chhattisgarh, through Secretary, Secretary, School Education Department, D.K.S.Bhawan, Mantralaya, Raipur (C.G.)

2) Commissioner of Public Instructions, Govt. of C.G. Education, Directorate of Public Instructions, Raipur (C.G.)

3) Deputy Director of Public Instructions, Govt. of C.G. Education Deptt., Dist. Bilaspur (C.G.)

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20/10/04
Clerk to A.G. Bilaspur

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

(81)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...WP/10...4625...04 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

आदेश

4-5-2005

On a mention being made, the case is taken up for hearing.

Shri Alok Nigam, counsel for the petitioner.

Shri Akhil Agrawal, P.L. for the State/respondents.

Heard on I.A. No.997/2005, application for amendment of the petition.

For the reasons mentioned in the application, it is allowed. Counsel for the petitioner to carry out the amendment during the course of the day.

The case of the petitioner is that the petitioner passed the Matriculation Higher Secondary School Certificate Examination in 1978. Copy of certificate is Annexure-A/1. The petitioner passed B.A. examintion in 1982 and then he got himself registered with the Employment Exchange at S. No.52980/82 at Bilaspur. Thereafter, the petitioner was selected for teachership and appointed by respondent No.3 vide order dated 20-9-83. Copy of the appointment letter is Annexure-A/3. The petitioner reported on duty at Govt. Middle School, Sakri where he performed his duties. However, his services were terminated on 24-12-83 and an assurance was given that he will be re-appointed. The petitioner was appointed against the vacant post of L.D.T.. The petitioner was duly selected by the Selection Committee. The erstwhile State of M.P. issued a circular on 15-5-87 directing that all the adhoc employees be regularized. Thereafter, a notification was also issued on 31-12-88 that all the Class 3 and Class 4 employees appointed on adhoc and daily wages basis be given appointment on regular basis. The M.P. Shishak Sangh filed a petition

(32)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

before the High Court of M.P.on behalf of terminated teachers appointed on adhoc basis which was transferred to the State Administrative Tribunal and the Tribunal decided the O.A. No.15/95 on 16-2-96 and directed the Government to reinstate the teachers, but the respondents are not considering the case of the petitioner.

Learned counsel for the petitioner submitted that the petitioner may be allowed to make a detailed representation to respondent No.1 and he be directed to decide the same to which counsel for respondents has no objection.

Having heard learned counsel for the petitioner, having regard to the facts and circumstances of the case and also looking to the limited request made by learned counsel for the petitioner which appears to be just and fair, the petitioner is allowed to make a detailed representation to respondent No.1 within a period of 15 days from today and in turn respondent No.1 will decide the representation of the petitoner within a period of 3 months from the date of receipt of the representation after considering all the points raised by the petitoner in an objelctive manner in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Consequently, I.A. No.8216/2004 also stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

Barve